



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

JAN - 5 2017

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Mark Melchert,  
Registered Agent For: Colville Holding, LLC, Colville, Inc., and Colville Transport, LLC  
Jermain Dunnagan & Owens, P.C.  
3000 A St. Ste 300,  
Anchorage, Alaska 99503

Re: Request for Information Pursuant to Section 114 of the Clean Air Act for Bulk Gasoline  
Terminals and Gasoline Distribution Facilities at Colville, Inc. and Colville Transport, LLC  
Facilities in Alaska

Dear Mr. Melchert:

This letter requests information and documents relating to bulk gasoline terminals and gasoline distribution facilities owned or operated by Colville, Inc. or Colville Transport, LLC and located in one or more locations in Alaska.

The Environmental Protection Agency (EPA) has reason to believe that Colville, Inc. or Colville Transport LLC owns and operates a bulk storage tank farm and truck loading operation in Prudhoe Bay, a fueling station in Prudhoe Bay, a Fairbanks tanker truck terminal, and a tanker truck fleet that hauls gasoline and other fuels to Prudhoe Bay from multiple locations in Alaska.

Pursuant to the authority of Section 114(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a)(1), you are hereby requested to respond to the Information Request set forth in the enclosure to this letter.

Failure to respond fully and truthfully to the Information Request within thirty (30) days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by the EPA pursuant to Section 113 of the CAA, 42 U.S.C. § 7413.

Please note that responses that are incomplete, ambiguous, or evasive may be treated as non-compliance with this Information Request. Provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by the EPA in administrative, civil, or criminal proceedings.

This Information Request is not subject to the review and approval requirements of the Paperwork Reduction Act, 44 U.S.C. § 3501, et. seq.

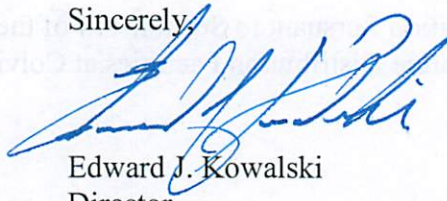
Please send the requested information to:

John Pavitt  
U.S. Environmental Protection Agency  
Alaska Operations Office  
222 W. 7<sup>th</sup> Avenue, MS-19  
Anchorage, Alaska 99513-7588

Return the enclosed Statement of Certification signed along with your responses. Completion of the Statement of Certification certifies that the information you are providing in response to this Information Request is true, complete, and correct.

Thank you for your prompt attention to this important matter. If you have any questions concerning this Information Request, you may consult with the EPA prior to the end of the 30-day timeframe specified above for providing the requested information. Please contact John Pavitt of my staff at (907) 271-3688. Questions from legal counsel should be directed to Brett Dugan, Office of Regional Counsel, at (206) 553-8562.

Sincerely,



Edward J. Kowalski  
Director

Enclosures

1. Instructions
2. Definitions
3. Information Request
4. Statement of Certification

cc: Mr. Mark Helmericks, Member, Colville Holding, LLC

**INFORMATION REQUEST**  
**COLVILLE, INC., COLVILLE TRANSPORT LLC, AND COLVILLE HOLDING, LLC**

**INSTRUCTIONS**

1. For each person answering these questions on behalf of Respondent provide:
  - a. full name,
  - b. title,
  - c. business mailing and email addresses, and
  - d. business telephone and fax numbers.
2. Answer Every Question Completely. Provide a separate, clear answer to each and every question and subpart of a question set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject you to the penalties set out in the cover letter. If you believe that documents or information responsive to one question are responsive, in whole or in part, to one or more other questions, you need not provide the information or documents more than once. In such cases, you may identify the documents or information already provided by some unambiguous means, as long as the precise manner in which the documents or information are responsive to the subsequent question is clearly specified.
3. Number Each Answer. Precede each answer with the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You will need to seek out responsive information from current employees/agents. Submission of cursory responses when other responsive information is available to you will be considered non-compliance with this Information Request. Do not substitute derivative or summary documents for more complete documents or responsive information.
5. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer. For each request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request, identify such person(s), a phone number or address at which they can be reached, and the additional information or documents which they may be able to provide.
6. Submit Documents with Labels Keyed to Question. For each document produced in response to this Information Request, indicate on the document (or in some other reasonable manner) the number of the question to which it responds.
7. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, you must supplement your response to EPA. Failure to supplement your response within thirty (30) days of discovering such responsive information may subject you to per day penalties. If at any time after the submission of this response, you discover or believe that any portion of the submitted



information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.

8. Confidential Information. The information requested herein needs to be provided even though the Respondent may contend that it includes confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Section 114(c) of the CAA, 42 U.S.C. § 7414(c), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary," or "company confidential." In addition, please note that you bear the burden of substantiating your confidentiality claim. Your claim of confidentiality should be supported by the submission of information supporting such a claim; the type of information to be submitted is set out in 40 C.F.R. Part 2. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.
9. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information". You should note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice to you.
10. Privilege. If you claim that any document responsive to this Information Request is a communication for which you assert that a privilege exists for the entire document, identify (see Definitions) the document and provide the basis for asserting the privilege. For any document for which you assert that a privilege exists for a portion of it, provide the portion of the document for which you are not asserting a privilege, identify the portion of the document for which you are asserting the privilege, and provide the basis for such an assertion. Please note that regardless of the assertion of any privilege, any facts contained in the document that are responsive to the Information Request must be disclosed in your response.
11. Objections to Questions. While you may object to certain questions in this Information Request, you must provide responsive information notwithstanding those objections. To object without providing responsive information constitutes a violation of the CAA.
12. Submit a signed Statement of Certification. Include the enclosed certification, in hard copy with an original signature, certifying the accuracy of all statements in your response.

# **INFORMATION REQUEST** **COLVILLE, INC., COLVILLE TRANSPORT LLC, AND COLVILLE HOLDING, LLC**

## **DEFINITIONS**

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Title I of the CAA, or 40 C.F.R. Parts 60, 61, and 63, in which case such statutory or regulatory definition shall apply. The following definitions shall apply to this Information Request:

1. The term “Respondent” or “Colville” shall mean Colville Holding, LLC and its subsidiaries, including Colville, Inc. and Colville Transport, LLC and any officers, managers, employees, contractors, trustees, successors, assigns, and agents, and any predecessor or successor entities, corporations, or companies.
2. The terms “Site” or “Facility” shall mean the real property, buildings, structures, storage tanks, and appurtenances located in Prudhoe Bay, Alaska, Fairbanks, Alaska and any other location in Alaska where Colville owns or operates gasoline storage tanks, bulk fuel terminals, bulk fuel plants or gasoline dispensing facilities (GDF) in Alaska.
3. The term “bulk gasoline terminal” means a gasoline storage and distribution facility that receives gasoline by pipeline, ship, barge, or cargo tank, stores the gasoline, and loads the gasoline into gasoline cargo tanks.
4. The term “gasoline dispensing facility (GDF)” means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.
5. The term “Monthly throughput” means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.
6. The terms “daily gasoline throughput,” “gasoline cargo tank,” “in gasoline service,” “submerged filling,” and “loading rack” shall have the definitions set forth in the 40 C.F.R. Part 60, New Source Performance Standards (“NSPS”) for Subpart XX - Standards of Performance for Bulk Gasoline Terminals; Part 63, National Emissions Standards for Hazardous Air Pollutants (“NESHAP”) for Subpart BBBBBB (“NESHAP 6B”) - Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and Part 63, Subpart CCCCCC (“NESHAP 6C”) for Gasoline Dispensing Facilities.

7. The terms “document” and “documents” shall mean any method of recording, storing, or transmitting information. “Document” shall include, but not be limited to writings of any kind, including, but not limited to, any of the following:
  - a. Writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including any of the following:
    - i. Invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order;
    - ii. Email, letter, correspondence, fax, telegram, postcard;
    - iii. Record book, minutes, memorandum of meetings and telephone and other conversations, telephone messages, inter or intra-office communications;
    - iv. Agreement, contract, and the like;
    - v. Log book, diary, calendar, desk pad, journal, and scrapbook;
    - vi. Bulletin, circular, form, pamphlet, statement;
    - vii. Report, notice, analysis, notebook;
    - viii. Graph or chart; or,
    - ix. Copy of any document;
  - b. Any film, photograph, or sound recording on any type of device;
  - c. Any tape, disc, or other type of memory generally associated with computers and data processing; and
  - d. Attachments to, or enclosures with, any document as well as any document referred to in any other document.
8. The terms “identify” and “describe” shall mean, with respect to a natural person, to set forth the person’s name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
9. The terms “identify” and “describe” shall mean, with respect to a corporation, partnership, business trust or other associate of business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
10. The terms “identify” and “describe” shall mean, with respect to a document, to provide its customary business description, date, number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
11. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular request or requests.
12. The terms “and” and “or” shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

**INFORMATION REQUEST**  
**COLVILLE, INC., COLVILLE TRANSPORT LLC, AND COLVILLE HOLDING, LLC**

**A. General**

1. Describe the nature of Colville, Inc.'s business operations in Alaska.
2. Describe the nature of Colville Transportation, LLC's business operations in Alaska.

**B. Bulk Gasoline Distribution**

3. Does Colville own or operate a "bulk gasoline terminal" in Alaska? If yes, which subsidiary of Colville Holding, LLC owns or operates the bulk gasoline terminal? Provide the locations of each bulk gasoline terminal owned or operated by Colville in Alaska. If Colville owns or operates a bulk gasoline terminal, provide answers to the following questions:
4. Provide a description of all means by which your bulk gasoline terminals each receive gasoline, including whether it receives gasoline by pipeline, ship or barge, or cargo tank.
5. Provide the date when each bulk gasoline terminal first began operation.
6. Provide a description of how you load gasoline into cargo tanks at each bulk gasoline terminal for transport to gasoline dispensing facilities (GDF).
7. Provide the maximum calculated design throughput of gasoline loaded into gasoline cargo tanks per day at your facility. If throughput is limited by Federal, State or local limitations, please provide a description of that limitation.
8. Does the gasoline loading equipment at any bulk gasoline terminal have a vapor collection system designed to collect vapors displaced from cargo tank trucks during product loading? If yes, provide a description of the system, including the results of performance tests.
9. Do you have any gasoline storage tanks that have a capacity greater than or equal to 250 gallons at any of your facilities? If you do, provide a description of each tank, including the tank name or number, age of the tank and storage capacity.
10. Do you currently utilize "submerged filling" for the loading of gasoline into storage tanks with a capacity of greater than or equal to 250 gallons at each of your facilities?
11. Do you currently utilize "submerged filling" for the loading of gasoline into cargo tanks at each of your facilities?
12. Do you currently perform a monthly leak inspection of all equipment in gasoline service at your bulk gasoline terminal(s)? If so, describe what detection methods you use to check for leaks.

Do you maintain an equipment leak inspection log book(s) for equipment in gasoline service at your bulk gasoline terminal(s)? If yes, please provide a copy of all log book entries recorded since January 10, 2011.

13. For each gasoline storage tank located at the facility, provide the date of the last time the tank was emptied and degassed.

### **C. Gasoline Dispensing Facilities**

14. Does Colville own or operate a GDF? If yes, which subsidiary of Colville Holding, LLC owns or operates the GDF? Provide the locations of each GDF owned or operated by Colville in Alaska.
15. What is the monthly throughput of each GDF?
16. Provide a description of each gasoline storage tank used for GDF activities, including the storage capacity, date of construction and whether each tank has a "vapor balance system" or a floating roof.
17. For each gasoline storage tank at a GDF with a capacity of greater than or equal to 250 gallons, do you fill each tank through a submerged fill pipe?
18. If the answer to question 17 is yes, what is the height of the submerged fill pipe from the bottom of the storage tank?



**INFORMATION REQUEST  
COLVILLE, INC., COLVILLE TRANSPORT LLC, AND COLVILLE HOLDING LLC  
STATEMENT OF CERTIFICATION**

**CERTIFICATION:**

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746, that I have personally examined and am familiar with the information submitted in pages one through \_\_\_\_\_, and that based on my inquiry of those individuals responsible for obtaining the information, the submitted information is true, complete, and correct.

\_\_\_\_\_  
Name and official title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date signed